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*Changes to legislation: There are currently no known outstanding effects for the Hallmarking Act 1973, SCHEDULE 5. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 5

Section 15.

#### POWERS AND DUTIES OF ASSAY OFFICES

##### *Submission of new wares for assaying and hallmarking*

- 1 An assay office may refuse to assay or mark any new ware if it is submitted at a stage of its manufacture which is unreasonable for assaying of and striking of marks on the new ware.

##### *Assaying and hallmarking*

- 2 (1) Upon receipt of any article submitted to an assay office for assay and hallmarking, the assay office shall examine the same to ascertain whether it is in their opinion sufficiently advanced in workmanship and, if composed of one or more parts, whether all the parts are present, and also whether the article complies with the conditions of this Act so as to permit it to be struck with the approved hallmarks; and, if the assay office are dissatisfied as respects any of the foregoing matters, they shall return the article without making an assay thereof.
- (2) If upon receipt and view of any article submitted to an assay office for assay and hallmarking, the assay office shall suspect that other materials than precious metal of not less than the minimum fineness therefor have been introduced or concealed in any such article, the assay office may cause the same to be cut; and if upon cutting—
- (a) any such other materials shall be found therein, the said article shall be broken and defaced and it (or the value thereof) shall be forfeited to the assay office and applied towards their general expenses;
  - (b) no such other materials are found therein, the assay office (but not any other person) shall be liable in damages to any person interested in the article.
- (3) Subject to sub-paragraphs (1), (2) and (5) of this paragraph, the assay office may cause to be drawn, scraped, cut or otherwise removed from the article such quantity of precious metal or take such other sample or do such other thing as may be necessary to enable an accurate assay to be made of the article and may retain the quantity so removed and apply it (or the value thereof) towards their general expenses.
- (4) In the event of any part of any article or any sample from any article being found to be of a fineness—
- (a) less than the minimum fineness for the precious metal of that article, the article the subject of the assay shall be returned to the person submitting the same after payment of the prescribed charge, and if the article is a new ware the assay office shall have power before so returning the article, to break it and any other articles which were submitted with it in the same parcel of work;

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- (b) not less than such minimum fineness, the said article shall be struck with the approved hallmarks and delivered to the person submitting the same after payment of the prescribed charge.
- (5) If an assay office are satisfied where two or more articles being new wares are submitted to them in one parcel of work for assay and hallmarking that all the articles so submitted are intended to assay to a single standard of fineness, the assay office may, notwithstanding anything in sub-paragraph (3) of this paragraph, carry out a single assay in respect of some or all of the articles contained in such parcel.

#### *Inspections by H.M. Mint*

- 3
  - (1) Her Majesty's Mint may at any time and from time to time as thought fit in normal office hours visit any assay office for the purpose of inspecting the assay department of that office and of ascertaining and assessing the accuracy and efficiency of their methods and procedures of assay; and a report on the assay department of each assay office shall be prepared once in every period of fourteen months by the Queen's Assay Master and presented to the Deputy Master of Her Majesty's Mint, copies of such reports having first been sent to the Council and the assay office concerned.
  - (2) If such assay methods, in the opinion of Her Majesty's Mint, are not of such a standard as will enable that assay office to report accurately on the fineness of any article, or articles, of precious metal, then Her Majesty's Mint shall notify the Council and the assay office forthwith and make to each of them such recommendations as appear requisite in relation to such assay methods; and the Council shall consult with the assay office as to the action to be taken upon such recommendations.
  - (3) Her Majesty's Mint shall be entitled to make a reasonable charge to each assay office in respect of the performance of their functions under this paragraph.

#### *Safe custody of marks*

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  - (1) Each assay office shall be responsible both for the safe custody of the dies to be used by that assay office for the purpose of striking articles with the approved hallmarks and other marks and for the disposal of such dies as and when the same are no longer required.
  - (2) The Council may after consultation with all the assay offices make regulations in or in connection with the discharge by assay offices of the duty imposed upon them by sub-paragraph (1) of this paragraph and as to the manner in which any such die is to be made or used and generally in relation thereto.

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